

Government’s Housing Standards Review: Operation of Bristol Local Plan Policies

This note explains how the policies of the adopted Bristol Local Plan will be applied in light of the Government’s Housing Standards Review.

A [statement to Parliament](#) was issued on 25th March 2015 explaining the Government’s national planning policy on the setting of technical standards for new housing within Local Plans. Standards currently set out in Local Plans will in future be set through Building Regulations and other national technical standards. Local Plan policies can require compliance with these standards where justified. This new system will comprise additional optional Building Regulations on water and access, and a new national space standard.

The new national technical standards will be introduced on 1 October 2015. The statement sets out transitional arrangements for local planning authorities until this time. The statement also sets out transitional arrangements for the use of energy performance standards within Local Plans until the introduction of the zero carbon homes policy in late 2016. The Government’s intention is that local planning authorities should not apply any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.

A number of adopted Bristol Local Plan policies will be affected, including policies within:

- **Core Strategy (June 2011)**
- **Site Allocations and Development Management Policies (July 2014)**
- **Bristol Central Area Plan (March 2015)**

The policies will still be applied, but will be used in a different way. This note sets out how the existing adopted policies of the Bristol Local Plan will be used from now until implementation of these new standards. Further detail on the standards can be found at [CLG: Technical Housing Standards Review](#).

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1. Sustainability Standards

Policy BCS13: Climate Change

There will be no change to how the policy is applied.

Policy BCS14: Sustainable Energy

According to the Statement, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008. This is expected to happen alongside the introduction through the Building Regulations of the new zero carbon homes standard in late 2016.



There is no suggestion in the Statement that Merton-style policies, which require a proportion of the energy used in development to be from renewable sources, cannot still be applied.

How the policy will be used now

The application of policy BCS14 is essentially unchanged by the Housing Standards Review.

The requirements to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20% and to incorporate, where feasible, infrastructure for district heating within Heat Priority Areas are unchanged.

The requirement to minimise energy requirements and implement energy efficiency measures to achieve performance beyond the standards set in Building Regulations also still applies.

Planning applications will still be expected to demonstrate the above through a Sustainability Statement and Energy Strategy as set out in the council's Climate Change and Sustainability Practice Note.

Policy BCS15: Sustainable Design and Construction

The Statement says that the Code for Sustainable Homes has been withdrawn for all but legacy cases.

The Code has been withdrawn with immediate effect. This means that the city council no longer requires a Code assessment to be submitted with planning applications or requires planning applications to meet any particular target against the Code.

'Legacy cases' are taken to mean development granted planning permission prior to the date of the Statement (25th March 2015).

How the policy will be used now

Applications will still be expected to include a Sustainability Statement and Energy Strategy addressing the requirements of Policies BCS13-16 and, with the exception of the Code for Sustainable Homes assessment, applications should still include the information required to fully address the issues identified within the council's Change and Sustainability Practice Note.

Applications determined before 25th March 2015 are treated as legacy cases. Where conditions have been imposed relating to the Code these will need to follow the normal process for discharge.

Non-residential development is not affected by the Housing Standards Review, so BREEAM assessments will still be sought where required by policy BCS15. BREEAM Communities assessments will still be sought for all super-major development as set out in policy BCS15.

Policy BCAP20: Sustainable Design Standards

Policy BCAP20, which sets sustainable design standards for Bristol City Centre, is also affected by the withdrawal of the Code for Sustainable Homes.

Energy Performance

According to the Statement, where a Local Planning Authority has an existing adopted policy requiring energy performance standards above Building Regulations they can continue to apply a requirement for energy performance up to the equivalent of Code for Sustainable Homes level 4. This requires the Design Emissions Rate of development to provide $\geq 25\%$ improvement above the Target Emissions Rate set within the 2010 Building Regulations.

Policy BCAP20 sets Code for Sustainable Homes standards for residential development in Bristol City Centre. In doing so, the policy seeks an energy performance standard above building regulations, which it may continue to do within the limits set out by the Statement.

Water Efficiency

The Statement states that, where there is an existing plan policy which references the Code for Sustainable Homes, Local Planning Authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard. This will be set through [Building Regulations Approved Document G](#) which introduces an optional requirement that dwellings are designed so that their estimated average water consumption is no more than 110 litres per person per day.

How the policy will be used now

Within Bristol City Centre, to comply with policy BCAP20 as revised by the Statement, development will be expected to achieve energy performance equivalent to Code for Sustainable Homes level 4 with immediate effect. This should be demonstrated as part of the Sustainability Statement and Energy Strategy submitted with the planning application.

Development within Bristol City Centre will also be expected to achieve a water efficiency standard of no more than 110 litres per person per day as required by Building Regulations Approved Document G.

For non-residential development of 1,000m² or greater, BREEAM “Excellent” will still be required within Bristol City Centre.

Policy BCAP21: Connection to Heat Networks

There will be no change to how the policy is applied.



2. Space and Accessibility Standards

According to the Statement, from 1 October 2015 existing Local Plan, neighbourhood plan, and supplementary planning document policies relating to access and internal space should be interpreted by reference to the nearest equivalent new national technical standard.

The new national technical standards include:

- A new nationally described space standard
- Optional building regulations requirements around access

Existing Local Plan policies relating to access and internal space (set out below) can continue to be applied unchanged until 30 September 2015.

Policy BCS18: Housing Type

The part of the policy that refers to residential space standards is affected by the Housing Standards Review.

How the policy will be used from 1 October 2015:

The policy will continue to apply, but the residential space standard sought will be the new [nationally described space standard](#) rather than the HCA standards referred to previously.

Policy DM2: Residential Sub-divisions, Shared and Specialist Housing

How the policy will be used from 1 October 2015:

The policy will continue to apply, but the standards sought will change as follows.

- Criterion (iv) relating to Lifetime Homes:
This will be set through [Building Regulations Approved Document M Volume 1](#) which introduces an optional access requirement under *Category 2: Accessible and adaptable dwellings*.
- Criterion (v) relating to wheelchair accessibility:
This will be set through [Building Regulations Approved Document M Volume 1](#) which introduces an optional access requirement under *Category 3: Wheelchair user dwellings*.

Policy DM4: Wheelchair Accessible Housing

How the policy will be used from 1 October 2015:

The policy will continue to apply, but the standards sought will change as follows.

- This will be set through [Building Regulations Approved Document M Volume 1](#) which introduces an optional access requirement under *Category 3: Wheelchair user dwellings*.